IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CHAMBER SUMMONS NO.672 OF 2004
IN
SUIT NO.1316 OF 2004

Mat Securities AG and Anr .....Plaintiffs
vs.
EVC Travel Agency P.Ltd and Ors.....Defendants

W I T H
CHAMBER SUMMONS NO.673 OF 2004
IN
SUIT NO. 1253 OF 2004

Mat Securities AG and Anr .....Plaintiffs
vs.
EVC Travel Agency P.Ltd and Ors.....Defendants

B. Colabawala with Mr. Andhyarujina Zal i/b. Vishal Mishra for the plaintiffs.

P.R. Mahadik with S.R. Singh for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 12TH APRIL, 2005.

P.C. :

1. On 15.2.2005 the learned counsel for the defendant made a statement that they will file a necessary affidavit furnishing details and

particulars though according to them they have already furnished the same. In pursuance thereof the defendant has filed the necesssary affidavit in the court being affidavit of one Uday Chinai dated 1/3/2005 by which he has disclosed certain documents. However, the plaintiffs have contend tha the said affidavit does not disclose all the documents relevant to the queries raised by the plaintiff and therefore further order should be passed in the present chamber summons.

2. It is not possible to accept the contention of the learned counsel for th eplaintiff. If there are any documents which are not disclosed inspite of the passing of the aforesaid order then obviously at the trial of the suit necessary adverse inference can be drawn against the defendants. It is neither necessary nor possible to go on passing repeatedly the order of disclosure. In view thereof no further directions are necessary. Both Chamber summons disposed off accordingly. No order as to costs.

sd/-

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